

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:14-00111

SCOTT E. ELLIS

RESPONSE OF THE UNITED STATES TO DEFENDANT'S
MOTION FOR SUBSTITUTION OF COUNSEL

Comes now the United States of America by Meredith George Thomas, Assistant United States Attorney for the Southern District of West Virginia, and responds to Defendant's Motion for Substitution of Counsel.

1. Defendant's motion suggests improper conduct on behalf of the United States in relation to the Defendant's initial choice of counsel in this matter. The United States does not agree with, nor concede to, Defendant's version of the events.

2. Defendant now asserts that he was not engaged in any criminal conduct with Ronald Barnette, who is currently represented by Michael Hissam in criminal action 2:14-00114. The United States also disagrees with that assertion. While the United States will not address that issue now, the United States anticipates addressing it in a sentencing memorandum, to be filed by January 26, 2015, regarding Defendant's acceptance of responsibility.

3. The United States does not oppose Defendant's motion for substitution of counsel wherein Defendant Ellis would be represented by Michael Hissam, so long as Defendant Ellis and Defendant Barnette enter into any applicable waivers of any conflicts of interest.

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "Response of the United States to Defendant's Motion for Substitution of Counsel" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this the 17th day of November, 2014, to:

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